

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HUGO PEREZ,
Plaintiff,

v.

EMC MORTGAGE CORPORATION,
Defendant.

No. C 09-0403 MMC

**ORDER RE: SUBSTITUTION;
EXTENDING TIME TO FILE AMENDED
COMPLAINT; DIRECTIONS TO CLERK**

On March 17, 2009, the Court dismissed the complaint in the above-titled action and afforded plaintiff leave to file a First Amended Complaint on or before April 17, 2009. To date, no amended complaint or any other document responsive to the Court's order has been filed.

Because the Court has been advised, however, that plaintiff's counsel of record, Mitchell Roth, has been suspended from the practice of law, the Court will afford plaintiff the opportunity to substitute either himself or new counsel in place of Mr. Roth and will extend the deadline for filing a First Amended Complaint to July 31, 2008.

If plaintiff fails to file a First Amended Complaint by July 31, 2008, the above-titled action will be dismissed.


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1 The Clerk is directed to mail a copy of this order to plaintiff at his last known
2 address: 1262 Ruby Street, Redwood City, CA 94601.

3 **IT IS SO ORDERED.**

4 Dated: May 8, 2009

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6 MAKINE M. CHESNEY
United States District Judge

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United States District Court
For the Northern District of California